

Morgan Lewis

Carla B. Oakley

Partner

+1.415.442.1301

carla.oaklev@morganlewis.com

April 4, 2024

VIA ECF

Magistrate Judge Victoria Reznik
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas St.
White Plains, New York 10601-4150

Re: The Wave Studio, LLC v. General Hotel Management Ltd. et al., Case No. 7:13-cv-09239 and Related Cases (Identified Below)

Dear Magistrate Judge Reznik:

Our firm represents and writes on behalf of the following Defendants in the following cases filed by The Wave Studio, LLC: Booking Holdings, Inc. ("BHI"), Agoda Company Pte Ltd., AGIP LLC, Booking.com BV, Booking.com (USA) Inc., Rocket Travel, Inc. and Momondo A/S (Case No. 21-cv-2691); Hotels Combined LLC (Case No. 15-cv-7950); Priceline.com LLC (Case No. 15-cv-6995); Getaroom.com and Kayak Software Corp. d/b/a Kayak.com¹ (Case No. 13-cv-9239) (together, "BHI Defendants"); and Southwest Airlines Co. (Case No. 22-cv-5141) ("Southwest Airlines").

We write to confirm that, pursuant to the Court's Order (Dkt. 354), on behalf of our clients we provided insurance information to Plaintiff's counsel on March 29, 2024, on a confidential basis subject to a Stipulated Protective Order to be agreed upon by the parties and entered in the cases. We provided the information, stating that each of our clients has indemnification claims tendered to other defendants and that the information therefore was subordinate to insurance coverage for the indemnitors.

Two of our clients, Southwest Airlines and Getaroom.com, are within the "display-only" defendant group identified by Plaintiff and have received the settlement demands from Plaintiff. We are available to discuss those with Your Honor at Your Honor's convenience. In this regard, we note that a Status Conference with Judge Seibel is still on the calendar for April 11, 2024, notwithstanding the ongoing mediation process. It was not clear to us whether Your Honor would be providing an update to Judge Seibel, or whether the parties should do so.

We appreciate Your Honor's attention to and careful management of this settlement process and the cases generally.

Sincerely,

/s/ Carla B. Oakley

Carla B. Oakley

¹ Getaroom.com and Kayak.com are jointly represented by Clausen Miller, P.C.

Morgan, Lewis & Bockius LLP

One Market
Spear Street Tower
San Francisco, CA 94105-1596
United States

T +1.415.442.1000
F +1.415.442.1001